

AMENDED IN SENATE MARCH 30, 2011

SENATE BILL

No. 743

Introduced by Senator ~~Strickland~~ Emmerson
(Coauthor: Senator Hernandez)
(Coauthor: Assembly Member Galgiani)

February 18, 2011

An act to amend Section 16531.1 of the Government Code, relating to social services, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 743, as amended, ~~Strickland~~ *Emmerson*. Medical Providers Interim Payment Fund.

Existing law creates the continuously appropriated Medical Providers Interim Payment Fund, for the purposes of paying Medi-Cal providers, providers of drug treatment services for persons infected with HIV, and providers of services for the developmentally disabled, for services provided on or after July 1 of the fiscal year for which a budget has not yet been enacted, as specified, or if there is a deficiency in the Medi-Cal budget in any fiscal year. Existing law transfers, for each fiscal year in which these payments are necessary, up to \$1,000,000,000 from the General Fund, in the form of loans, and appropriates \$1,000,000,000 from the Federal Trust Fund, to the Medical Providers Interim Payment Fund.

This bill would, instead, transfer up to \$2,000,000,000 from the General Fund, in the form of loans, and appropriate \$2,000,000,000 from the Federal Trust Fund, to the Medical Providers Interim Payment Fund for each fiscal year in which these payments are necessary, *as specified*.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 16531.1 of the Government Code is
2 amended to read:
3 16531.1. (a) Notwithstanding any other provision of law and
4 without regard to fiscal year, if the annual State Budget is not
5 enacted by June 30 of any fiscal year preceding the fiscal year to
6 which the budget would apply or there is a deficiency in the
7 Medi-Cal budget during any fiscal year, both of the following shall
8 occur:
9 (1) The Controller shall annually transfer from the General
10 Fund, in the form of one or more loans, an amount not to exceed
11 a cumulative total of two billion dollars (\$2,000,000,000) in any
12 fiscal year, to the Medical Providers Interim Payment Fund, which
13 is hereby created in the State Treasury. Notwithstanding Section
14 13340 of the Government Code, the Medical Providers Interim
15 Payment Fund is hereby continuously appropriated for the purpose
16 of making payments to Medi-Cal providers, providers of services
17 under Chapter 6 (commencing with Section 120950) of Part 4 of
18 Division 105 of the Health and Safety Code, and providers of
19 services under Division 4.5 (commencing with Section 4500) of
20 the Welfare and Institutions Code, on or after July 1 of the fiscal
21 year for which no budget has been enacted ~~and before September~~
22 ~~1 of that year~~, or for the purpose of making payments to Medi-Cal
23 providers, providers of services under Chapter 6 (commencing
24 with Section 120950) of Part 4 of Division 105 of the Health and
25 Safety Code, and providers of services under Division 4.5
26 (commencing with Section 4500) of the Welfare and Institutions
27 Code, during the period in which the Medi-Cal program has a
28 deficiency. Payments shall be made pursuant to this subdivision
29 if both of the following conditions have been met:
30 (A) An invoice has been submitted for the services.
31 (B) Payment for the services is due and payable and the State
32 Department of Health Care Services determines that payment
33 would be valid.
34 (2) For any fiscal year to which this subdivision applies, there
35 is hereby appropriated the sum of two billion dollars

1 (\$2,000,000,000) from the Federal Trust Fund to the Medical
2 Providers Interim Payment Fund.

3 (b) Upon the enactment of the annual Budget Act or a deficiency
4 bill in any fiscal year to which subdivision (a) applies, the
5 Controller shall transfer all expenditures and unexpended funds
6 in the Medical Providers Interim Payment Fund to the appropriate
7 Budget Act item.

8 (c) The amount of any loan made pursuant to subdivision (a)
9 and for which moneys were expended from the Medical Providers
10 Interim Payment Fund shall be repaid by debiting the appropriate
11 Budget Act item in accordance with the procedure prescribed by
12 the Department of Finance.

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